

The article was labeled in part: "Thomas' Dairy T Feed (or "Thomas Victory T Feed") Guaranteed Analysis Protein 16½% (or "24%") * * * Manufactured by Thomas & Company, Frederick, Md."

It was alleged in the libels that the article was misbranded in that it was falsely branded as to the State in which it was manufactured, and in that the labels bore statements, regarding the said article or the ingredients or substances contained therein, which were false and misleading and deceived and misled the purchaser, as follows: "Guaranteed Analysis Protein 16½% * * * Manufactured by Thomas & Company, Frederick, Md." and "Guaranteed Analysis Protein 24% * * * Manufactured by Thomas & Company, Frederick, Md."

On May 14, 1927, the Chas. A. Krause Milling Co., Milwaukee, Wis., having appeared as claimant for the property, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$1,150, conditioned in part that it not be sold or disposed of until properly relabeled.

W. M. JARDINE, *Secretary of Agriculture.*

15318. Adulteration and misbranding of table oil. U. S. v. 18 Cans of Table Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21960. I. S. No. 13971-x. S. No. C-5113.)

On June 18, 1927, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cans of table oil, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the Calamata Olive Oil Co., Buffalo, N. Y., March 8, 1927, and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Finest Quality Table Oil Tipo Termini Imerese Vegetable Oil Contents 96 Oz."

Adulteration of the article was alleged in the libel for the reason that a substance, cottonseed oil, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tip (Tipo) Termini Imerese Contents 96 Oz.," together with the general arrangement of the label and a picture of a scene evidently foreign and apparently of olive gathering, borne on the label, were false and misleading and deceived and misled the purchaser; for the further reason that it was offered for sale under the distinctive name of another article; and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 29, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15319. Misbranding of cottonseed cake. U. S. v. 320 Sacks of Cottonseed Cake. Consent decree adjudging product misbranded and ordering its release under bond. (F. & D. No. 21537. I. S. No. 9570-x. S. No. C-5311.)

On January 20, 1927, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 320 sacks of cottonseed cake, remaining in the original unbroken packages at Bates City, Mo., alleging that the article had been shipped by the Whitesboro Oil Mill Co., from Whitesboro, Tex., on or about January 10, 1927, and transported from the State of Texas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "'Chickasha Prime' Cottonseed Cake or Meal * * * Protein not less than 43 per cent, Chickasha Cotton Oil Co., Kansas City, Mo."

Misbranding of the article was alleged in the libel for the reason that the statement on the said label "Protein not less than 43 per cent" was false and misleading and deceived and misled the purchaser.

On February 3, 1927, the Whitesboro Cotton Oil Co., Whitesboro, Tex., claimant, having admitted the allegations of the libel and having consented to